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Rosita Sierra-Medrano
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 ROSITA SIERRA-MEDRANO,

15 Defendant.
16

Case No. 1:03-cr-05237-AWI

UNOPPOSED MOTION FOR EARLY
TERMINATION OF SUPERVISED RELEASE;
EXHIBIT; ORDER

Hon. Anthony W. Ishii

17 The defense moves this Court for an order terminating supervised release for the above
18 named defendant. Defense counsel has conferred with counsel for the government, Assistant
19 United States Attorney Kathleen Servatius, as well as United States Probation Officer Adrian
20 Garcia, and neither has any opposition to this motion.

21 Title 18 U.S.C. § 3583(e)(1) grants the court power to terminate a term of supervised
22 release at any time after the expiration of one year of supervised release, pursuant to the
23 provisions of Federal Rule of Criminal Procedure Rule 32.1(c)¹, provided the court is satisfied
24 that such action is warranted by the conduct of the defendant and in the interests of justice.
25

26 ¹ Federal Rule of Criminal Procedure 32.1(c)(1) generally requires “a hearing, at which the
27 person has the right to counsel and an opportunity to make a statement and present any
28 information in mitigation.” However, no hearing is required if the defendant waives the hearing.
Fed. R. Crim. P. 32.1(c)(2)(A). Nor is a hearing required if the relief is favorable to the
defendant and the government does not object. Fed. R. Crim. P. 32.1(c)(2)(A) and (B). Under
both provisions, no hearing is required here.

On November 22, 2005, Ms. Sierra-Medrano, after having pled guilty to one count of possession with intent to distribute methamphetamine, was sentenced to 168-months in custody followed by a 60-month term of supervised release. (DKT #185) After a change in the drug quantity sentencing guidelines, pursuant to a stipulation by the parties Ms. Sierra-Medrano was resentenced to 151-months and 60-months of supervised release. (DKT #248) Ms. Sierra-Medrano was released from the Bureau of Prisons on October 30, 2015, and is currently on low-risk supervision.

Having completed approximately four of her five years on supervision with no violations and no dirty drug tests, Ms. Sierra-Medrano has also satisfied her financial obligation on this case. Because Ms. Sierra-Medrano has completed all her requirements of her sentence and due to her good conduct while on supervision for an extended period of time, both the currently assigned probation officer and the AUSA on the case do not oppose the early termination request. *See* Exh. A.

Based on the foregoing, the defense submits that early termination of supervised release is warranted based on the conduct of Ms. Sierra-Medrano and in the interests of justice.

HEATHER E. WILLIAMS
Federal Defender

DATED: August 30, 2019

/s/ Charles J. Lee
CHARLES J. LEE
Assistant Federal Defender
Attorney for Defendant
ROSITA SIERRA-MEDRANO

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ORDER

Rosita Sierra-Medrano is hereby discharged from supervised release, effective immediately, on case 1:03-cr-05237-AWI.

IT IS SO ORDERED.

Dated: August 30, 2019



SENIOR DISTRICT JUDGE